

“SEC. 51326. DIVERSITY AND INCLUSION ACTION PLAN.

“(a) IN GENERAL.—Not later than January 1, 2023, the Maritime Administrator shall issue a Diversity and Inclusion Action Plan for the United States Merchant Marine Academy (referred to in this section as the ‘Plan’) and make the Plan publicly available.

“(b) CONTENTS OF DIVERSITY AND INCLUSION ACTION PLAN; SURVEYS.—

“(1) IN GENERAL.—The Plan shall—

“(A) contain a description of how the United States Merchant Marine Academy will increase recruiting efforts in historically underrepresented communities, including through partnerships with historically Black colleges and universities and maritime centers of excellence designated under section 51706;

“(B) develop and make available resources to—

“(i) establish responsibilities for midshipmen, faculty, and staff of the Academy with respect to diversity and inclusion;

“(ii) create standards of—

“(I) training that require interpersonal dialogue on diversity and inclusion;

“(II) setting behavioral boundaries with others; and

“(III) specific processes for the reporting and documentation of misconduct related to hazing, bullying, hate, and harassment;

“(iii) hold leaders and other individuals at the Academy accountable for violations of such standards;

“(iv) equip midshipmen, faculty, and staff of the Academy with the resources and materials to promote a diverse and inclusive working environment; and

“(v) address how concepts of diversity and inclusion can be integrated into the curriculum and training of the Academy.

“(2) SURVEYS.—The Maritime Administrator shall—

“(A) require a biannual survey of midshipmen, faculty, and staff of the Academy assessing—

“(i) the inclusiveness of the environment of the Academy; and

“(ii) the effectiveness of the Plan; and

“(B) require an annual survey of faculty and staff of the Academy assessing the inclusiveness of the environment of the Sea Year program.”

“(2) REPORT TO CONGRESS.—Not later than 30 days after the date of enactment of this section, the Maritime Administrator shall provide Congress with a briefing on the resources necessary to properly implement this section.

“(3) CONFORMING AMENDMENTS.—The chapter analysis for chapter 513 of title 46, United States Code, is amended by adding at the end the following:

“51323. Sexual assault and sexual harassment prevention information management system.

“51324. Student advisory board at the United States Merchant Marine Academy.

“51325. Sexual assault advisory council.

“51326. Diversity and inclusion action plan.”

“(4) UNITED STATES MERCHANT MARINE ACADEMY STUDENT SUPPORT PLAN.—

“(A) STUDENT SUPPORT PLAN.—Not later than January 1, 2023, the Maritime Administrator shall issue a Student Support Plan for the United States Merchant Marine Academy, in consultation with relevant mental health professionals in the Federal Government or experienced with the maritime industry or related industries. Such plan shall—

“(i) address the mental health resources available to midshipmen, both on-campus and during Sea Year;

“(ii) establish a tracking system for suicidal ideations and suicide attempts of midshipmen;

“(iii) create an option for midshipmen to obtain assistance from a professional care provider virtually; and

“(iv) require an annual survey of faculty and staff assessing the adequacy of mental health resources for midshipmen of the Academy, both on campus and during Sea Year.

“(B) REPORT TO CONGRESS.—Not later than 30 days after the date of enactment of this Act, the Maritime Administrator shall provide Congress with a report on the resources necessary to properly implement this paragraph.

“(d) SPECIAL VICTIMS ADVISOR.—Section 51319 of title 46, United States Code, is amended—

“(1) by redesignating subsection (c) as subsection (d); and

“(2) by inserting after subsection (b) the following:

“(c) SPECIAL VICTIMS ADVISOR.—

“(1) IN GENERAL.—The Secretary shall designate an attorney (to be known as the ‘Special Victims Advisor’) for the purpose of providing legal assistance to any cadet of the Academy who is the victim of an alleged sex-related offense regarding administrative and criminal proceedings related to such offense, regardless of whether the report of that offense is restricted or unrestricted.

“(2) SPECIAL VICTIMS ADVISORY.—The Secretary shall ensure that the attorney designated as the Special Victims Advisor has knowledge of Uniform Code of Military Justice procedures, as well as criminal and civil law.

“(3) PRIVILEGED COMMUNICATIONS.—Any communications between a victim of an alleged sex-related offense and the Special Victim Advisor, when acting in their capacity as such, shall have the same protection that applicable law provides for confidential attorney-client communications.”; and

“(3) by adding at the end the following:

“(e) UNFILLED VACANCIES.—The Administrator of the Maritime Administration may appoint qualified candidates to positions under subsection (a) and (c) of this section without regard to sections 3309 through 3319 of title 5, United States Code.”

“(e) CATCH A SERIAL OFFENDER ASSESSMENT.—

“(1) ASSESSMENT.—Not later than one year after the date of enactment of this Act, the Commandant of the Coast Guard, in coordination with the Maritime Administrator, shall conduct an assessment of the feasibility and process necessary, and appropriate responsible entities to establish a program for the United States Merchant Marine Academy and United States Merchant Marine modeled on the Catch a Serial Offender program of the Department of Defense using the information management system required under subsection (a) of section 51323 of title 46, United States Code, and the exit interviews under subsection (b) of such section.

“(2) LEGISLATIVE CHANGE PROPOSALS.—If, as a result of the assessment required by paragraph (1), the Commandant or the Administrator determines they need additional authority to implement the program described in paragraph (1), the Commandant or the Administrator, as applicable, shall provide appropriate legislative change proposals to Congress.

“(f) SHIPBOARD TRAINING.—Section 51322(a) of title 46, United States Code, is amended by adding at the end the following:

“(3) TRAINING.—

“(A) IN GENERAL.—As part of training that shall be provided not less than semi-annually to all midshipmen of the Academy, pursuant

to section 51318, the Maritime Administrator shall develop and implement comprehensive in-person sexual assault risk-reduction and response training that, to the extent practicable, conforms to best practices in the sexual assault prevention and response field and includes appropriate scenario-based training.

“(B) DEVELOPMENT AND CONSULTATION WITH EXPERTS.—In developing the sexual assault risk-reduction and response training under subparagraph (A), the Maritime Administrator shall consult with and incorporate, as appropriate, the recommendations and views of experts in the sexual assault field.”

SA 4865. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CONVEYANCES OF TRIBAL PROPERTY.

(a) CONVEYANCE OF PROPERTY TO THE TANANA TRIBAL COUNCIL.—

(1) CONVEYANCE OF PROPERTY.—

(A) IN GENERAL.—As soon as practicable, but not later than 180 days, after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall convey to the Tanana Tribal Council located in Tanana, Alaska (referred to in this subsection as the “Council”), all right, title, and interest of the United States in and to the property described in paragraph (2) for use in connection with health and social services programs.

(B) CONDITIONS.—The conveyance of the property under subparagraph (A)—

(i) shall be made by warranty deed; and

(ii) shall not—

(I) require any consideration from the Council for the property;

(II) impose any obligation, term, or condition on the Council; or

(III) allow for any reversionary interest of the United States in the property.

(C) EFFECT ON ANY QUITCLAIM DEED.—The conveyance by the Secretary of title by warranty deed under subparagraph (A) shall, on the effective date of the conveyance, supersede and render of no future effect any quitclaim deed to the property described in paragraph (2) executed by the Secretary and the Council.

(2) PROPERTY DESCRIBED.—The property, including all land, improvements, and appurtenances, described in this paragraph is the property included in U.S. Survey No. 5958 in the village of Tanana, Alaska, within surveyed lot 12, T. 4 N., R. 22 W., Fairbanks Meridian, Alaska, containing 11.25 acres.

(3) ENVIRONMENTAL LIABILITY.—

(A) LIABILITY.—

(i) IN GENERAL.—Notwithstanding any other provision of law, the Council shall not be liable for any soil, surface water, groundwater, or other contamination resulting from the disposal, release, or presence of any environmental contamination on any portion of the property described in paragraph (2) on or before the date on which the property is conveyed to the Council.

(ii) ENVIRONMENTAL CONTAMINATION.—An environmental contamination described in

clause (i) includes any oil or petroleum products, hazardous substances, hazardous materials, hazardous waste, pollutants, toxic substances, solid waste, or any other environmental contamination or hazard as defined in any Federal or State of Alaska law.

(B) EASEMENT.—The Secretary shall be accorded any easement or access to the property conveyed under this subsection as may be reasonably necessary to satisfy any retained obligation or liability of the Secretary.

(C) NOTICE OF HAZARDOUS SUBSTANCE ACTIVITY AND WARRANTY.—In carrying out this subsection, the Secretary shall comply with subparagraphs (A) and (B) of section 120(h)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(3)).

(b) SOUTHEAST ALASKA REGIONAL HEALTH CONSORTIUM LAND TRANSFER.—

(1) CONVEYANCE OF PROPERTY.—

(A) IN GENERAL.—As soon as practicable, but not later than 2 years, after the date of enactment of this Act, the Secretary shall convey to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska (referred to in this subsection as the “Consortium”), all right, title, and interest of the United States in and to the property described in paragraph (2) for use in connection with health and social services programs.

(B) CONDITIONS.—The conveyance of the property under subparagraph (A)—

(i) shall be made by warranty deed; and

(ii) shall not—

(I) require any consideration from the Consortium for the property;

(II) impose any obligation, term, or condition on the Consortium; or

(III) allow for any reversionary interest of the United States in the property.

(C) EFFECT ON ANY QUITCLAIM DEED.—The conveyance by the Secretary of title by warranty deed under subparagraph (A) shall, on the effective date of the conveyance, supersede and render of no future effect any quitclaim deed to the property described in paragraph (2) executed by the Secretary and the Consortium.

(2) PROPERTY DESCRIBED.—The property, including all land and appurtenances, described in this paragraph is the property included in U.S. Survey 1496, lots 4 and 7, partially surveyed T. 55 S., R. 63 E., Copper River Meridian, containing approximately 10.87 acres in Sitka, Alaska.

(3) ENVIRONMENTAL LIABILITY.—

(A) LIABILITY.—

(i) IN GENERAL.—Notwithstanding any other provision of law, the Consortium shall not be liable for any soil, surface water, groundwater, or other contamination resulting from the disposal, release, or presence of any environmental contamination on any portion of the property described in paragraph (2) on or before the date on which the property is conveyed to the Consortium, except that the Secretary shall not be liable for any contamination that occurred after the date that the Consortium controlled, occupied, and used the property.

(ii) ENVIRONMENTAL CONTAMINATION.—An environmental contamination described in clause (i) includes any oil or petroleum products, hazardous substances, hazardous materials, hazardous waste, pollutants, toxic substances, solid waste, or any other environmental contamination or hazard as defined in any Federal or State of Alaska law.

(B) EASEMENT.—The Secretary shall be accorded any easement or access to the property conveyed under this subsection as may be reasonably necessary to satisfy any retained obligation or liability of the Secretary.

(C) NOTICE OF HAZARDOUS SUBSTANCE ACTIVITY AND WARRANTY.—In carrying out this

subsection, the Secretary shall comply with subparagraphs (A) and (B) of section 120(h)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(3)).

AUTHORITY FOR COMMITTEES TO MEET

Ms. CORTEZ MASTO. Mr. President, I have 9 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, December 1, 2021, at 10:15 a.m., to conduct a hearing on nominations.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, December 1, 2021, at 9:45 a.m., to conduct a business meeting.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, December 1, 2021, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, December 1, 2021, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, December 1, 2021, at 11 a.m., to conduct a business meeting.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, December 1, 2021, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, December 1, 2021, at 3 p.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, December 1, 2021, at 2 p.m., to conduct a closed briefing.

ORDERS FOR THURSDAY, DECEMBER 2, 2021

Mr. SCHUMER. Madam President, I ask unanimous consent that when the

Senate completes its business today, it adjourn until 10 a.m., Thursday, December 2; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate resume consideration of H.R. 4350, the National Defense Authorization Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. SCHUMER. For the information of all Senators, we expect a rollcall vote at approximately 12 noon tomorrow on the confirmation of the Nelson nomination.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. SCHUMER. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 9:46 p.m., adjourned until Thursday, December 2, 2021, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. ROGER D. LYLES

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. JAMES H. ADAMS III
BRIG. GEN. ERIC E. AUSTIN
BRIG. GEN. MICHAEL J. BORGSCHULTE
BRIG. GEN. WILLIAM J. BOWERS
BRIG. GEN. STEPHEN E. LISZEWSKI
BRIG. GEN. KEITH D. REVENTLOW
BRIG. GEN. SEAN M. SALENE
BRIG. GEN. ROBERTA L. SHEA
BRIG. GEN. BENJAMIN T. WATSON
BRIG. GEN. CHRISTIAN F. WORTMAN

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

To be colonel

EDWARD W. LUMPKINS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

GINA M. FARRINGTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DISA L. RIFKIN

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JEREMY D. ADAMS